

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2010-20-S - ORDER NO. 2010-85  
JANUARY 27, 2010

IN RE: Petition of Native Shores Homeowners	)	ORDER HOLDING
Association for Designation as a	)	MATTER IN ABEYANCE
Homeowners Association Pursuant to	)	
Regulation 103-502.5	)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Petition of the Native Shores Homeowners Association (“Native Shores”) for designation as a Homeowners Association pursuant to 26 S.C. Code Ann. Regs. 103-502.5 (Supp. 2009). Granting this Petition would exempt the sewerage services that Native Shores provides from regulation by this Commission. Because all of the required homeowners’ statements do not meet the specific requirements of the regulation, we are holding in abeyance a ruling on whether Native Shores meets our requirements for exemption from Commission regulation as an official Homeowners Association.

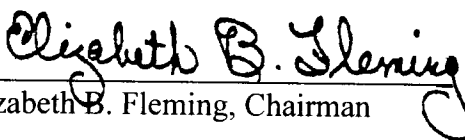
Among the various requirements for filing in 26 S.C. Code Ann. Regs. 103-502.5 (Supp. 2009) is requirement (e), which is “copies of a statement signed by each lot owner disclosing that the sewerage services in the subdivision are provided by a non-profit homeowners association, in which each lot owner is a voting member, and that an appropriate assessment to meet operating expenses of the Utility must be paid by each lot owner.” Whereas, most of the statements presented do recognize that Native Shores is a

Homeowners Association or “community system,” few, if any of the statements recognize that each lot owner is a voting member, or that an appropriate assessment to meet operating expenses of the Utility must be paid by each lot owner. The statements therefore do not meet the specific requirements of the regulation.

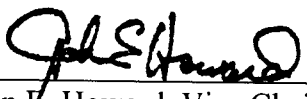
For this reason, we will hold our ruling on the Native Shores Petition in abeyance for thirty (30) days from the date of this Order. Hopefully, this will allow time for Native Shores to file homeowner’s statements that comply with the provisions of 26 S.C. Code Ann. Regs. 103-502.5 (e) (Supp. 2009). We will consider the matter of granting the Homeowners Association exemption from Commission regulation again after that thirty-day time period concludes.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
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John E. Howard, Vice Chairman  
(SEAL)